

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION**

COMMITTEE ON TAXATION

Call to Order: Chairman Bob Lake, on February 12, 2009 at 9:00
A.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Bob Lake, Chairman (R)
Rep. Jill Cohenour, Vice Chairman (D)
Rep. Janna Taylor, Vice Chairman (R)
Rep. Dick Barrett (D)
Rep. Mark Blasdel (R)
Rep. Edward B. Butcher (R)
Rep. Wanda Grinde (D)
Rep. Robin Hamilton (D)
Rep. Brian Hoven (R)
Rep. Mike Jopek (D)
Rep. Dave McAlpin (D)
Rep. Mike Miller (R)
Rep. Art Noonan (D)
Rep. JP Pomnichowski (D)
Rep. Lee Randall (R)
Rep. J. David Roundstone (D)
Rep. Jon Sonju (R)
Rep. Wayne Stahl (R)
Rep. Chas Vincent (R)
Rep. Brady Wiseman (D)

Members Excused: None.

Members Absent: None.

Staff Present: Jeff Martin, Legislative Branch
Jennifer O'Loughlin, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 487, 2/9/2009

Executive Action: HB 232, HB 240, HB 428, HB 312,
HB 329

HEARING ON HB 487

Opening Statement by Sponsor:

00:02:00 Rep. Walter McNutt (R), HD 37, opened the hearing on
HB 487, Classify as business inventories certain farm
implements and construction equip.

EXHIBIT(tah33a01)

Proponents' Testimony:

00:06:57 Rep. Llew Jones
00:13:26 Ken Williams, Triple W Equipment
00:21:16 Mark Swanson, President, Farm Equipment Sales
00:25:21 Brad Griffin, Montana Trade Equipment Association
00:29:27 C.A. Daw, Chief Legal Counsel, Department of Revenue
(DOR)
00:33:46 Don Hoffman, Montana Taxpayers Association
00:34:15 Ronda Wiggers, Helena and Great Falls Chambers of
Commerce
00:35:04 Chelsea Fagen, Montana Chamber of Commerce

Opponents' Testimony: None

Informational Testimony:

00:35:45 Tom Bilodeau, Research Director, MEA-MFT
00:37:19 Randy Wilke, Administrator, Property Assessment
Division, DOR

Questions from Committee Members and Responses:

00:37:34 Rep. Cohenour
00:38:29 Mr. Griffin
00:38:48 Mr. Williams
00:40:36 Rep. Cohenour
00:40:42 Rep. Jones
00:42:57 Chairman Lake
00:43:29 Rep. Cohenour
00:45:12 Rep. Jones

00:48:24 Rep. Cohenour
00:48:52 Rep. Taylor
00:49:02 Rep. McNutt
00:49:13 Rep. Cohenour
00:49:31 Rep. Sonju
00:50:05 Rep. McNutt
00:50:23 Chairman Lake
00:50:35 Rep. Cohenour
00:51:14 Chairman Lake
00:51:28 Rep. Sonju
00:51:48 Rep. McAlpin
00:52:17 Rep. McNutt
00:53:05 Rep. Miller
00:53:24 Rep. McNutt
00:55:03 Chairman Lake
00:55:20 Rep. Butcher
00:55:47 Rep. McNutt
00:56:28 Chairman Lake
00:56:36 Rep. McNutt
00:56:49 Rep. Jopek
00:57:05 Chairman Lake
00:57:09 Rep. Jopek
00:57:12 Rep. Stahl
00:58:21 Rep. McNutt
00:59:23 Rep. Cohenour
01:00:26 Rep. McNutt
01:03:13 Chairman Lake
01:03:20 Rep. Wiseman
01:04:09 Mr. Wilke
01:05:07 Rep. Wiseman
01:05:51 Chairman Lake
01:06:08 Rep. Hoven
01:06:31 Rep. McNutt

Closing by Sponsor:

01:07:03 Rep. McNutt

01:10:37 Chairman Lake closed the hearing.

01:10:47 Break

01:31:27 Reconvene

EXECUTIVE ACTION ON HB 232

01:31:47 **Motion:** Rep. Sonju moved that **HB 232 DO PASS.**

01:32:14 **Substitute Motion/Vote:** Rep. Cohenour made a substitute motion that **HB 232 BE TABLED.** Substitute motion carried 18-2 by voice vote with Rep. Stahl and Rep. Vincent voting no.

EXECUTIVE ACTION ON HB 240

01:33:28 **Motion:** Rep. Taylor moved that **HB 240 DO PASS.**

Discussion:

01:34:12 Mr. Martin

EXHIBIT(tah33a02)

01:37:42 Chairman Lake

01:38:01 **Motion:** Rep. Taylor moved that **HB 240 BE AMENDED.**

01:38:19 Rep. Butcher called the question on the motion.

01:38:24 **Vote:** Motion that **HB 240 BE AMENDED** carried unanimously by voice vote.

Motion: Rep. Taylor moved that **HB 240 DO PASS AS AMENDED.**

Discussion:

01:38:42 Rep. Cohenour

01:39:29 Rep. Miller

01:39:43 Rep. Sonju

01:40:31 Rep. Jopek

01:42:13 Rep. Butcher

01:43:31 Rep. Noonan

01:46:18 Rep. Stahl

01:48:17 Chairman Lake

01:48:55 Rep. Cohenour called the question.

01:49:07 **Vote:** Motion that **HB 240 DO PASS AS AMENDED** failed 10-10 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting aye.

EXECUTIVE ACTION ON HB 249

01:51:07 **Motion:** Rep. Taylor moved that **HB 249 DO PASS.**

Discussion:

01:51:23 Rep. Stahl

01:54:04 Rep. Jopek

01:54:22 Rep. Stahl

01:55:10 Rep. Jopek

01:55:21 Rep. Butcher

01:57:31 Rep. Cohenour

01:57:54 Rep. Taylor withdrew the motion until the committee receives the fiscal note for HB 249.

EXECUTIVE ACTION ON HB 261

01:58:45 **Motion:** Rep. Taylor moved that **HB 261 DO PASS AS AMENDED.**

Discussion:

01:59:08 Rep. Cohenour

01:59:56 Mr. Martin

02:00:41 Rep. Cohenour

02:00:44 Mr. Martin

02:01:02 Rep. Cohenour

02:01:09 Rep. Taylor withdrew the motion until the committee receives the fiscal note for HB 261.

EXECUTIVE ACTION ON HB 428

02:01:45 **Motion:** Rep. Pomnichowski moved that **HB 428 DO PASS.**

Discussion:

02:02:01 Rep. Pomnichowski

02:02:29 Rep. McAlpin

02:02:37 **Vote:** Motion that **HB 428 DO PASS** carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 312

02:02:53 **Motion:** Rep. Cohenour moved that **HB 312 DO PASS.**

Discussion:

02:03:00 Mr. Martin

EXHIBIT(tah33a03)

02:03:39 **Motion:** Rep. Lake moved that **HB 312 BE AMENDED.**

Discussion:

02:03:47 Chairman Lake

02:05:25 Rep. Cohenour

02:05:31 Mr. Martin

02:08:24 Rep. McAlpin

02:08:50 Chairman Lake

02:09:19 Rep. McAlpin

02:09:25 Chairman Lake

02:09:29 Rep. McAlpin

02:09:39 Rep. Cohenour

02:10:11 Rep. Barrett

02:10:35 Rep. Wiseman

02:10:54 Rep. Jopek

02:11:43 Chairman Lake

02:12:55 Rep. Butcher

02:14:09 Rep. Jopek

02:15:25 Rep. Butcher called the question on the motion.

02:15:31 Chairman Lake

02:15:45 **Vote:** Motion that **HB 312 BE AMENDED** failed 12-8 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Stahl and Rep. Taylor voting aye.

02:17:19 Rep. Cohenour called the question on HB 312.

02:17:27 **Vote:** Motion that **HB 312 DO PASS** failed 10-10 by roll call vote with Rep. Barrett, Rep. Cohenour, Rep. Grinde, Rep. Hamilton, Rep. Jopek, Rep. McAlpin, Rep.

Noonan, Rep. Pomnichowski, Rep. Roundstone, and Rep. Wiseman voting aye.

EXECUTIVE ACTION ON HB 329

02:19:09 **Motion:** Rep. Sonju moved that **HB 329 DO PASS.**

Discussion:

02:19:25 Rep. Cohenour

02:19:56 Rep. Sonju

02:20:30 Rep. Jopek

02:21:02 Rep. Sonju

02:21:32 **Substitute Motion:** Rep. Grinde made a substitute motion that **HB 329 BE TABLED.**

02:21:41 **Vote:** Motion that **HB 329 BE TABLED** carried 19-1 by voice vote with Rep. Stahl voting no.

EXECUTIVE ACTION ON HB 341

02:22:19 **Motion:** Rep. Taylor moved that **HB 341 DO PASS.**

02:22:52 Rep. Taylor withdrew the motion until the committee receives the fiscal note for HB 341.

ADJOURNMENT

02:24:18 Adjournment: 11:25 A.M.

Jennifer O'Loughlin, Secretary

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Additional Documents:

EXHIBIT ([tah33aad.pdf](#))